REMARKS

Claims 1-3, 7, 8, 11-16, 18-20 and 22-28 are pending in this application. All of the pending claims were rejected under 35 U.S.C. §103(a) over Ishida in view of McCormack and further in view of Wilson. Claims 1, 8 and 12 are currently amended. Claim 2 is now cancelled. Reconsideration is respectfully requested.

Applicant thanks the Examiner for taking the time to explain the reasoning behind the rejection over the phone on August 24, 2006. Based on that explanation, Applicant learned that the Office has been applying the McCormack reference in a different manner than Applicant had understood. This difference is illustrated by comparing Figure 2 of McCormack with Figure 3 of this application. Applicant's understanding was that the McCormack Ethernet twisted pair wiring (14) corresponded to the power integrated network (306). If that were the case, the McCormack hub/switch (10) would be an irrelevant source device with which the present application is not concerned, and the McCormack end device (12'') would have to be compared with the claimed data storage device (302), and the previously presented arguments for patentability would apply. However, the Office is actually drawing an analogy between the McCormack hub/switch (10) and the claimed power module (304). In this case the memory (312), control module (312) and network interface (308) must be compared with the McCormack end device (12''). As will be discussed, that analogy is inapplicable because the data storage device (302) is a single device rather than a collection of networked devices.

The presently claimed invention as amended distinguishes the cited references because the power module does not provide data to the memory or control module. McCormack's hub/switch (10), which provides variable power to end device (12''), does so via Ethernet wiring (14) which also provides data. This is a relatively common powered Ethernet configuration

where a first device, e.g., switch, provides both power and data to a second device, e.g., end device. However, the data storage device (302) is a single device, not multiple devices spread across a network and interconnected by powered Ethernet cabling. Consequently, the connections between the power module and both the memory and control module carry only power, and no data. Referring to the specification at page 7, lines 21-22, "when data is received by the data storage device, the network interface 308 forwards the data to memory 312." Note that the data is NOT forwarded to the power module because the power module is not a hub/switch or data device.[1] Rather, the memory and control module communicate data with the network[2] while the power module simply converts power from the network.[3] Another way to describe this difference is that McCormack adjusts the voltage at the powered Ethernet source device, whereas the claimed invention adjusts the voltage at the powered Ethernet sink device. The practical implication of this is that McCormack would subject all devices on the network to the single selected voltage, whereas the claimed invention would adjust a single standard voltage to different desired voltages at different properly equipped devices. The claims have been amended to emphasize this distinguishing feature. Claim 1, for example, recites "A data storage device for shared use in a power integrated Ethernet network …a network interface coupled with the power integrated Ethernet network, the network interface operable to receive both power and data from the power integrated Ethernet network … a SCSI Encapsulation Protocol control module coupled to the memory and the network interface, the control module being operable to control transmission of data from the memory to any one of a plurality of clients via the power integrated network … a power module coupled to the memory, the network interface and the

[1] See also page 9, lines 3-15
[2] page 5, lines 20-23

control module, the power module receiving power from the network interface to energize the memory and the control module," and claim 8 recites "with the network interface, providing data from the power integrated network to the SCSI Encapsulation Protocol control module, and providing power from the power integrated network to a power module." Claim 12 recites "the power module provides only power to the data storage device." Withdrawal of the rejections of claims 1, 8 and 12 is therefore requested. Claims 3, 7, 11, 13-16, 18-20 and 22-28 are dependent claims which further distinguish the invention, and which are allowable for the same reasons as their respective base claims. Withdrawal of the rejections of the dependent claims is therefore also requested.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

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[3] page 5, lines 23-26